

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA

v.

Cr. No. 01-038T

JAMES W. CLARK

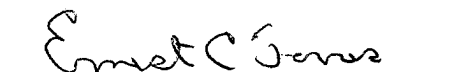
ORDER DENYING PETITIONER'S MOTION FOR REDUCTION OF SENTENCE  
PURSUANT TO 18 U.S.C. §3582(c)(2)

James W. Clark has filed a motion for sentence reduction pursuant to 18 U.S.C. §3582(c)(2) and U.S.S. G. §§1B1.10 and 2d1.1. The Court's review of the record indicates that, for reasons stated in the government's memorandum, the defendant is ineligible for a reduction in sentence pursuant to 18 U.S.C. §3582(c) because his sentence was based on his classification as a career offender and, therefore, his guideline range is not affected by the amendments to the guidelines relating to crack offenses. Accordingly, the motion for reduction of sentence is denied.

By Order

  
Deputy Clerk

ENTER:

  
Ernest C. Torres  
Sr. U.S. District Judge  
Date: October 1, 2008